

**Springerville Planning & Zoning Commission
Regular Meeting Minutes
Dec. 9, 2004**

Present: Chairman Bill Lucas, Betty Amator, Larry Martin, Steve Martin, Kay Matthews

Staff: Larisa Bogardus, Zoning Administrator; Scott Garms, Town Manager

Public: Evelyn Arabie, Edde Castillo, Dave Pimper, Jennifer and Bryan Walker, Jesse Jones, Darcy Boyle, Jeanie Lytle, Rueben Ketola, Mr. and Mrs. Pete Reyes

1. CALL TO ORDER

Chairman Bill Lucas called the meeting to order at 7 p.m.

Roll Call: Present: Bill Lucas
Betty Amator
Larry Martin
Steve Martin
Kay Matthews

- 2. PUBLIC PARTICIPATION:** Commissioner Larry Martin announced he would be resigning after the first of the year to serve a church mission.

CONSENT ITEMS

- 3. MINUTES:** Motion by Betty Amator, second by Kay Matthews to approve the minutes from the Nov. 18, 2004 work session. Passed 5-0. Motion by Kay Matthews, second by Betty Amator to approve the minutes of the Nov. 18, 2004 regular meeting. Passed 4-0.
- 4. ZONING ADMINISTRATOR'S REPORT:** Ms. Bogardus said a written report was included in the packets.

OLD BUSINESS

- 5. RULES OF PROCEDURE:** Ms. Bogardus said this was the final draft with changes made during the Nov. 18, 2004 work session. Commissioner Amator said by-laws and rules of procedure should be separate documents and expressed concern that this document included elements of both, Motion by Kay Matthews, second by Larry Martin to table the matter for further research. Passed 5-0.
- 6. CUP 2004-013:** Ms. Bogardus said a neighbor had requested certain conditions included in her staff report. Ms. Boyle agreed to abide by them. Motion by Larry Martin, second by Steve Martin to approve the permit with the conditions that the dogs be restricted to the center fenced area, that all gates be double-latched; Beware of Dog signs be posted on the fences; and not more than two dogs be allowed outside unsupervised at one time. Passed 3-2, with Commissioners Lucas, Larry Martin and Steve Martin in favor and Commissioners Amator and Matthews opposed.

NEW BUSINESS

7. **CUP 2004-016:** Commissioner Matthews said she had heard food was being prepared off-site and transported to the location in question. The applicant said all food is prepared on location. It was asked if this was a P&Z matter. Ms. Bogardus explained that the code requires a CUP for food prepared and sold outside a permanent structure. Mr. Reyes said the operation would move into the building as soon as it can be remodeled and the plumbing is replaced. Motion by Steve Martin, second by Betty Amator to approve the permit with the conditions that the operation continue to meet health department certification standards; outdoor sales be discontinued when the business moves into the restaurant building; and the business meet all other requirements and standards of C-1 zoning. Passed 4-1 with Commissioner Matthews opposed.
8. **CUP 2004-017:** Citizens, neighbors and neighboring property owners asked questions about noise, access, easements and fencing. The father of an infant expressed concern, but said he would be satisfied if all activity was conducted indoors. There was some discussion regarding the proposed sign. Ms. Bogardus said the applicant would still have to apply for and obtain a sign permit separately. Motion by Larry Martin, second by Kay Matthews to approve the permit with conditions prohibiting outdoor storage and outdoor welding. Passed 5-0.
9. **SECTION 404(J) Animals and Pets:** Ms. Bogardus explained that Ms. Amator suggested this item after it was pointed out during discussion of CUP 2004-013 that the word "shall" mandates approval of a permit. Discussion included changing "shall" to "may," or striking the section entirely and enforcing problems as noise and odor violations. Motion by Steve Martin, second by Larry Martin to recommend deleting Section 404(J) in its entirety. Passed 4-2, with Commissioners Lucas, Larry Martin and Steve Martin in favor and Commissioners Amator and Matthews opposed. Commissioner Amator pointed out that the action would also delete paragraph 2 addressing non-household animals. Motion by Steve Martin, second by Betty Amator to rescind the previous vote and recommend deleting only paragraph 1. Passed 3-2 with Commissioners Amator, Lucas and Steve Martin in favor and Commissioners Larry Martin and Kay Matthews opposed.
10. **REQUIREMENTS FOR COMMISSIONERS:** Ms. Bogardus explained that when her proposal to amend the requirements for commissioners to property owner rather than resident was discussed in November, some commissioners indicated a desire to discuss other options at the December meeting. Requiring members to be registered voters or qualified electors in addition to residents or property owners and residents was discussed. No action taken.
11. **RV PARKS:** Ms. Bogardus explained that after the lengthy discussion of RV Parks during the Nov. 18 work session, Commissioner Amator suggested a subcommittee to research the matter and bring recommendations back to the commission as a whole. A five-member committee including staff, commissioners and citizens was discussed. It was decided that a smaller committee could invite others to provide input. Town Manager Scott Garms pointed out that subcommittees are subject to the open meetings law and would be open to the public. Motion by Steve Martin, second by Betty Amator to establish a three-member committee including Ms. Bogardus. Passed 5-0. Chairman Lucas appointed Commissioners Steve Martin and Betty Amator to the committee.
12. **CUP 2004-006:** Commissioner Steve Martin declared a conflict of interest and left the room. Ms. Bogardus explained that the Martins were unable to commence construction of the outdoor dining area this year and have requested a six-month extension. Motion by Betty Amator, second by May Matthews to extend the permit. Passed 4-0.

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ADJOURNMENT: Motion by Larry Martin, second by Kay Matthews. Passed 5-0.

The meeting adjourned at 8:45 p.m.

William Lucas, Chairman